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GOVERNOR'S MESSAGE

TO THE SEVENTH LEGISLATIVE ASSEMBLY

TERRITORY OF OKLAHOMA.

DELIVERED JANUARY 13, 1903.

Oklahoma (Ter.) Governor.

Governor's Message

to the

Seventh Legislative Assembly

of the

Territory of Oklahoma

Delivered January 13, 1903.

STATE
CAPITAL COMPANY
1902

MESSAGE

Of the Governor of Oklahoma to the Seventh Legislative Assembly.

To the Seventh Legislative Assembly:

Gentlemen: The story of Oklahoma, to those unacquainted with her marvelous growth and unprecedented development, must sound like a fairy tale. A simple recital of the facts in her brief history would be classed more readily, by those uninitiated into the mystery of her enterprise and progress, among the stories of an enchanted land than among the plain, unembellished narratives of the birth and advancement of a commonwealth.

At sunrise on the morning of April 22, 1889, Oklahoma was practically uninhabited. Today her population is, on a fair estimate, six hundred thousand. According to the assessor's returns for 1902 the population was five hundred and forty-one thousand, four hundred and eighty, an increase of one hundred and fifty-three thousand, one hundred and forty-nine over the returns of 1901. But the rapid rate of increase shown by a comparison between the returns of 1901 and 1902 would indicate a population at this time of at least six hundred thousand.

The assessed valuation of the Territory is $72,677,423. This amount represents only about one-fourth of the real value of the property when estimated on a cash basis. Assessed on a cash basis, the value would not be far from $300,000,000.

For a detailed review of the magnificent and wonderful development made by our Territory during the past year, and for a statement setting forth many important facts relative to the prosperous conditions now existing, I have the honor to call your attention to my report to the Honorable Secretary of the Interior for the year ending June 30, 1902, copies of which are submitted for your consideration. That report reveals a condition of things throughout the Territory which must be very gratifying to the people who have made a great commonwealth out of beautiful Oklahoma, the "Wonderland of the southwest."

It will show that 2,278 public schools were taught during the past year, with an aggregate enrollment of 116,971, and that the sum of $502,277.65 was paid to teachers. There were 1,802 pupils graduated from the common schools. There was apportioned the sum of $267,-105.14 among the various counties as a territorial common school fund.

The higher institutions of learning offer superior advantages to the young people of our enterprising Territory. These schools are doing good work and are remarkably well patronized.

The people of Oklahoma are building well. The foundation which they have placed for the future state has *education* for its chief corner-stone.

There were 1,413.23 miles of railroad returned for taxation in March. This embraced main track, and in addition there were 178.55 miles of side track returned. Over 500 miles of railroad have been completed in the Territory during the past year, and hundred of miles more will be completed during the present year.

There were shipped out of the Territory during the past year 6,442 carloads of cattle, 18,593 carloads of wheat, 210 carloads of corn, 308 carloads of oats, 65 carloads of castor beans, 2,252 carloads of hogs, 700 carloads of cotton seed, 1,209 carloads of hay, 4,842 carloads of flour, 391 carloads of horses and mules, 1,846 carloads of miscellaneous mill stuffs, 164,653 bales of cotton.

There were shipped into the Territory during the past year 1,091 carloads of farm machinery, 237 carloads of vehicles, 1,862 carloads of flour, 2,883 carloads of homeseekers' goods, 7,225 carloads of coal. These shipments into the Territory do not include the Choctaw road.

Oklahoma exports annually thousands of carloads of flour and wheat to the markets of Europe and South America, much of it going via Galveston.

There were returned for taxation in 1902, 280,939 horses, 58,142 mules, 959,816 cattle, 38,308 sheep and goats, and 189,218 swine.

The citizens of Oklahoma are intelligent and prosperous, and justly proud of the magnificent Territory which they have developed. Reference is made here to the prevailing conditions simply to call your attention to the greatness of the commonwealth and to the enterprise of the people in whose interests you are called upon to legislate.

Each department of the Territorial government has submitted a report, covering the period required by law, showing in detail the work done in the past and the conditions prevailing at this time. These reports are transmitted to you in printed form, and you are respectfully requested to make a careful examination of the work in every branch of the administration.

AUDITOR'S REPORT.

The Auditor's report shows a healthy condition of affairs. The Territorial finances are in excellent condition. The amount of money in the Territorial treasury on November 30, 1900, was $348,830.24; money received from all sources for the year ending November 30, 1901, was $509,980.47; the warrants redeemed during the year ending November 30, 1901, were $463,085.96, leaving a balance of $395,724.75 for the year.

The amount of money received during the year ending November 30, 1902, was $997,659.28; the warrants redeemed during that year were $745,006.71, leaving a balance November 30, 1902, of $648,377.32. The warrants above referred to are those which were redeemed during the period, some being issued two years before the date of redemption.

Warrants issued for the year ending November 30, 1901, were $421,531.90; for the year ending November 30, 1902, $406,989.68.

The increased outlay has been occasioned by direct appropriation made by the last legislature: The levy in 1899 was 5.2 mills, for 1902 was 7.8 mills. This increase of levy was occasioned by specific statutes of the last legislature, making appropriations for the various Territorial educational institutions.

The expenses of the Territorial government proper were as follows:

For 1901	$199,625.00
For 1902	154,276.09

Comparison of the expenses of the last biennium with those of previous years shows a proper and legitimate increase for the expenses of the Territorial government. The expenses of 1897 were $175,866.27; of 1899, $192,019.19, each of these being a legislative year. The increase in the amount of 1899 over 1897 was $16,152.92; of 1901 over 1899, $7,605.81. The increase of 1900 over 1898 was $52,488.06; of 1902 over 1900 was $11,655.07.

The present is the first year in the history of the Territory in which the income from taxation was sufficient to pay the running expenses of the government and a portion of the accumulated debt. The expenses in 1902 were $154,276.09; the income, $183,093.32.

During the year $168,414.33 of warrants were redeemed. The interest paid on these was $28,894.89. If additional appropriations are not made by the present legislature upon this fund, and the natural growth of the Territory continues, it will only be a few years until the entire indebtedness against the Territorial fund will be paid.

The general revenue fund indebtedness is $462,440.23.

The total amount of outstanding warrant indebtedness, including the above, on November 30, 1902, was $636,176.69; adding to this the $48,000.00 of bonds, gives the total Territorial indebtedness, or $684,176.69. This is about $1.00 per capita. However, when it is remembered that on November 30, 1902, there was in the Territorial treasury $648,377.30, and this amount is deducted, there is a debt of only $35,799.39, or about 6 cents per capita.

The amount spent by the Territory the past biennium for educational purposes was, for 1901, $218,978.42; for 1902, $246,850.19. the total amount spent for educational purposes during the biennium was $465,828.61; for all other purposes, $362,692.97, a difference of $103,135.64 in favor of education.

THE TREASURER.

The report of the Territorial Treasurer reveals a financial condition which is very encouraging. This report is a complete statement of conditions as they exist in the various funds.

The Territorial funds are deposited in banks which have been made depositories under authority of law. These depositories are the Capitol National Bank, the Guthrie National Bank, The Bank of the Indian Territory, and the Bank of Logan County. The funds are protected by the securities required by law.

The public building fund, at the close of business on the 31st day of December, 1902, contained $251,941.23. This fund cannot be used at this time for the purpose specified in its creation, as the Seventh Legislative Assembly is prohibited by Congressional act for making provision for the erection of any public building in Oklahoma.

The fund for a school for the blind amounts to $7,193.95. It remains in the treasury inactive. No contract has been made for the care and education of the blind. The number of persons in the Territory who could be the beneficiaries of such a contract is so small that a contract has not been possible up to date. No levy has been made for this fund since 1899. The fund is practically unchanged except a small addition from time to time resulting from back taxes.

The delinquent Territorial tax, covering a period of eleven years, amounts to $232,597.55.

THE PUBLIC SCHOOLS.

The Oklahoma public school system is increasing in efficiency every year. The organization is growing more perfect and the resultant work becoming more efficient.

The system is properly divided into three departments; the primary and intermediate grades, the high school, and the university and college. The course of study for the common schools was revised the past year. Five hundred and sixty-six individuals completed the eight years of work and were given certificates. The great need of the school system is more complete organization of the secondary or high schools. With the completion of the Southwestern Normal, there will be seven Territorial educational institutions. These institutions are excellently organized and well equipped to do thorough and first class work.

The system of supervision consists of a Territorial Superintendent, County Superintendents, and a Territorial Board of Education. This system is very satisfactory. Excellent work is being done. The efficiency of our teachers increases year by year. Among the immigrant population are many excellently qualified individuals who engage in this profession. Our teachers realize the great importance of the work and perform it with a conscientiousness seldom displayed elsewhere.

Oklahoma has every reason to be proud of her public school system.

For further information concerning this department of the work, I would respectfully refer you to the report of the Superintendent of Public Instruction.

THE UNIVERSITY.

The report of the President of the Board of Regents of the above named educational institution, shows many decided improvements in progress during the past year. The new building, which has been built during the past year, is a credit to the Territory. The plans and specifications which were submitted for this building, upon which the advertisement for bids was based, contemplated an outlay in excess of the appropriation; consequently, the plans were changed so as to reduce the cost to the limits of the appropriation.

The heretofore prevailing tendency in some of the educational institutions to exceed appropriations and ask for a deficiency, is a dangerous course, and the sooner checked the better it will be for the Territory and all interests concerned.

The University should be made an institution devoted to college work along the lines of higher education. Preparatory work, as far as possible under existing conditions in the Territory, should be eliminated from the University. The Territory has built, and is now maintaining, a University Preparatory School at Tonkawa. The people are taxed for its support, and it is not best to maintain the preparatory feature at the University any longer than is absolutely necessary. It is not good economy, nor is it good policy, to pay instructors in the University for doing work that should be done in the preparatory schools. A well developed high school plan in the Territory would greatly aid the University in eliminating its preparatory features.

The work done at the University is good. The institution is a fair illustration of Oklahoma enterprise and development.

On the morning of January 7, 1903, the University science building was totally destroyed by fire. Very little property was saved. The insurance amounts to thirty-five thousand dollars.

NORMAL SCHOOLS.

The report of the Territorial Board of Education for Normal Schools has been placed before you. It is largely a statement of financial conditions, past and present, and will enable you to become acquainted with the business transactions connected with these institutions.

ALVA.

The number of the faculty in this institution has been increased to twenty-three during the past year. Two class rooms have been fitted

up in the basement of the building. A distinctive development in the work of natural history has been attempted and is meeting with success. A normal business course has been added and is becoming very popular, as well as very useful. The library has recently been increased, about $4,000 having been expended for books.

The work in this school is exceedingly gratifying. The instructors are earnest and enthusiastic in their work. The students are energetic and industrious, and good results are anticipated. Harmony prevails between teacher and student, as well as between teacher and patron.

EDMOND.

The Edmond Normal is doing good work. The classes are very much over-crowded, however, on account of the remarkably large attendance.

A normal business course has been developed, which is meeting with marked success. The library has been revised. A distinctive training school feature has been added, and results are gratifying. Teachers have worked faithfully, and much good has been accomplished.

SOUTHWESTERN NORMAL.

The Sixth Legislative Assembly enacted a law authorizing the establishment of a normal school in the "southwestern portion of Oklahoma Territory" to be known as the "Southwestern Normal School."

The act provided for a committee "of five men to be appointed by the Governor of the Territory," said committee being authorized to select site for the school. In compliance with the provisions of the act, the Governor of the Territory appointed a committee. A change in the governorship of the Territory occurred, and the new governor also appointed a committee. The first committee appointed selected Weatherford as the location for the school. The other committee selected Granite as the site. Both committees reported to the Board of Education. The Board accepted the report of the committee which located the school at Granite. Action was taken in the courts to restrain the Board from building at Granite. The decision of the lower court sustained the report of the committee which had designated Weatherford as the proper site. The case was appealed to the supreme court, where the decision of the lower court was affirmed.

The Board of Education has arranged to advertise for bids, said bids to be opened on February first, and work to be commenced about March 1, 1903.

It is the purpose of the Board to maintain a good lecture course under the management of each of the normal schools.

UNIVERSITY PREPARATORY SCHOOL.

The University Preparatory School located at Tonkawa was authorized by the Sixth Legislative Assembly of Oklahoma.

The law by which this institution was created provided that the sum of $15,000 should be appropriated to "complete and furnish said building without any further expense to Oklahoma Territory." The law further provides for a one-fifth mill levy "on the dollar each year for two years" (1901-1902) "upon the property of the Territory," "the funds derived from such taxes to be known as the University Preparatory School Fund."

Section five of the Act referred to evidently contemplated that the building should be completed and furnished for a sum not to exceed $15,000. Section seven of the same Act provides that the "University Preparatory School Fund shall be available and used by said board only for the construction of said building, purchasing the necessary furniture to properly furnish the same, and for the payment of the current expenses and teachers salaries of said University Preparatory School for the year 1902."

The regents, when the contract was let, were evidently under the impression that if they kept within the limits of the appropriation for the two years named, they would be complying with the law.

The contract was let for $15,000 for the building alone, but a portion of it was left unfinished. The cost of the building complete, and the equipment and furnishing of the same, exceeds the appropriation. The regents evidently misinterpreted the law when they failed to contract for a building which could have been completed and furnished for $15,000, which sum was the maximum limit in section five of the act.

The full amount of the appropriation possible for the years 1901-1902 would be $26,630.09. The amount which will probably be collected will be about $24,000.09. It appears that legislative action is necessary to authorize the regents to legally apply the amount of the appropriation in excess of the $15,000, and not used to defray current expenses and for teachers' wages for the year 1902, on building, furnishing and equipment. It would simply be the conversion of an appropriation, already made, from one purpose to another.

This school has been very successful during its short history, and promises much for the future.

Your attention is called to the report of the Board of Regents, with a recommendation that an equitable allowance be made for the actual running expenses of this institution for the years 1903-1904.

AGRICULTURAL AND MECHANICAL COLLEGE.

Oklahoma has a diversity of interests and resources, but agriculture is her chief industry, and it is appropriate that ample facilities be afforded for general industrial education.

The Agricultural College at Stillwater has attained a high standard of excellence, especially for a young institution, and its splendid achievements up to the present afford an encouraging prophecy of the future.

You are very respectfully referred to the report of the President of the Board of Regents, which is a brief but concise statement of the work done since the adjournment of the Sixth Legislative Assembly, as well as a statement of existing conditions.

AGRICULTURAL AND NORMAL UNIVERSITY AT LANGSTON.

The regents of the school at Langston have made some much needed improvements for that institution since the adjournment of the Sixth Legislative Assembly. A wing has been added to the main building; a boys' dormitory, a building of thirty-nine rooms, has been erected; and the President's residence, a one and one-half story cottage, has been completed.

It is the policy of the Board to promote industrial education in this institution, and every legitimate means possible will be used to accomplish good results along that line.

The report of the Secretary of the Board of Regents is submitted for your information as to how money has been expended during the years 1901-1902.

NATIONAL GUARD.

For information relative to the work of this very important organization I refer you to the report of the Adjutant-General, which is a detailed statement of the business features of his department for the year 1902.

The service of the National Guard may never be needed in Oklahoma. It is to be hoped that such will be our experience in the future, that no military force will be needed to enforce the law and

preserve the peace, but it is essential that such an organization be maintained to meet any possible emergency that may confront us.

The Territory has in the National Guard a body of drilled men ready for action upon short notice should an occasion demand their services. This organization is maintained at comparatively little expense.

The encampment held at Kingfisher during the month of August last demonstrated that the O. N. G is O. K. in every respect, a body of fairly well drilled men, a credit to the Territory, and a splendid commentary upon the work of the officers of this department.

Your attention is respectfully called to the report of the Adjutant General relative to compensation for Board of Survey, expense for assistant in handling general depot goods, armory rent, desks, stationery for officers, and compensation for Regimental Adjutant, with a recommendation that a reasonable provision be made.

BANK COMMISSIONER.

Attention is called to the report of the Bank Commissioner, and especially to the recommendations therein made for the protection of depositors.

On account of the great increase in banking business throughout the Territory during recent years, it has become impossible for one commissioner to make the examinations required by law and at the same time attend to the work in the office. An assistant examiner with authority to make examinations and also to transact office work, is a necessity.

The appropriations for contingent expenses made by the Sixth Legislative Assembly was not sufficient to meet the demands, and I respectfully recommend a more ample provision, and hope that it will meet with favorable consideration.

The large volume of work has made it necessary to employ a clerk competent to discharge the duties of the office, and in securing such services a small deficiency obligation was created, to meet which an appropriation is necessary, and the matter is respectfully referred to your honorable body for consideration.

BOARD FOR LEASING SCHOOL LANDS.

The report of the Secretary of the Board for Leasing School Lands shows that a vast amount of work has been done by that office

during the past year, and that the revenues derived from rentals and other sources have been enormous.

The excess or "bonus" rental alone, amounted to $188,307.24, and was distributed among the various funds to which it belonged at the proper time.

The counties of Kiowa, Comanche and Caddo could not be included in the distribution of the common school fund made in July, 1902, as they had not been organized long enough to comply with the law in the way of making the required reports.

As the counties above named were deprived of what should have been their portion of this fund, based upon the number of school children in each of them, I respectfully recommend that the Seventh Legislative Assembly make provision for returning to these counties, at the distribution to be made in July, 1903, the amount to which they were rightfully entitled in 1902.

INSPECTION OF OILS.

The inspection of oils is a matter of much importance to the Territory. The existing law should be strengthened so as to be more efficient in protecting the interests of the public.

It is asserted that our present law conflicts to some extent with the Inter-state Commerce laws. I suggest that this law be so amended as to avoid this objection, and, covering that point, it might be well to provide against emptying such oils out of the original packages within the Territory, before inspection. It would also be well to bear in mind that it is the safety of the people of the Territory that should be considered, and not the regulation of commerce in these articles, and in doing this such a law should be passed that could be enforced and would prohibit the sale and use of oils in the Territory that do not fully come up to any comply with the well-established and settled safety test. This will involve some questions of scientific analysis and research, as I am informed that some of the courts of the Territory have held as a matter of fact that the safety of such oils is determined by the flash test and not by the specific gravity test, for the reason that a specific gravity test is a test of quality, rather than a test of safety. It might be well, however, to require an inspection and branding of such oils as to quality as well as safety, in order that the people may have full knowledge of the kind of article used or offered for sale.

The law should contain a provision making all persons, corporations and companies liable for damages, who violate the provisions of the act, and a severe penalty should be fixed for the adulteration of such oils.

The Inter-state Commerce laws will not protect wholesale dealers in shipping dangerous oils into the Territory and selling them any more than they would protect stock dealers in shipping diseased cattle into the Territory.

Again, the Inter-state Commerce laws do not apply to the regulation of trade within a state or territory. A legislative assembly has power to regulate commerce in any state or territory, and cannot be restricted in the enforcement of its legislation by the provisions of any Inter-state Commerce law, especially when the safety of the public is involved. Such a law to protect the people of Oklahoma against dangerous fluids could be made just as effective as any police regulation, and could not be restricted by any law enacted to regulate commerce *between* states.

ATTORNEY GENERAL.

The report made by the Attorney General indicates that a large amount of work has been done in that office during the past year. The office has been thoroughly systematized and a full record kept of all its daily proceedings.

The work of this department has been careful and conservative, and, as far as can be observed, the purpose has been to keep within the limits of the law at all times in passing upon matters of public concern.

THE PENITENTIARY.

The appropriation made by the Sixth Legislative Assembly in the sum of $28,000 per annum was not sufficient, resulting in a deficiency of $4,929.90 for the year 1901, and about the same amount in the year 1902.

There were 287 Oklahoma prisoners confined in the Kansas penitentiary during the last week of the year 1902. Under the contract existing between Oklahoma and the State of Kansas, the Territory pays thirty-five cents per day for the care of each of these prisoners.

The Auditor's estimate that an appropriation of $40,000 per annum for the care of our prisoners is necessary, is a conservative one, and I recommend that said amount be authorized.

The average number of Oklahoma prisoners in the Kansas penitentiary is increasing at the rate of about ten per cent per annum; consequently, the cost of caring for them must increase accordingly.

The increase of prisoners sent to Lansing each year will require an increase in the cost of commitment. The appropriations for the years 1901-1902 was $4,000 per annum. About $5,000 per annum will be required for the years 1903-1904.

CARE OF THE INSANE.

On the 31st day of May, 1901, a contract was entered into between the Governor of Oklahoma and the Oklahoma Sanitarium Company, which obligated the Territory to pay the sum of $200 per annum for the care of each patient.

The Sixth Legislative Assembly appropriated the sum of $65,000 per annum for the care of the insane for the years 1901-1902.

The cost of caring for the insane for the year 1902 was $60,984.20, leaving a surplus for the year of $4,015.80. This was a little less than the amount paid for the same purpose in 1901. The cost for the four quarters in the year 1901 was $61,773.26.

In my judgment, a sum equal to the appropriation made by the Sixth Legislative Assembly will be sufficient for the care of the insane, at least a sum not to exceed the Auditor's estimate, which is $70,000 per annum.

The Auditor estimates the amount necessary for the commitment of the insane at $6,000 per annum, which is about correct, and is respectfully recommended.

Your attention is called to the report of the President of the Sanitarium Company.

TERRITORIAL LIBRARY.

The report of the Territorial Librarian which has been placed before you, reveals the fact that this important institution is developing rapidly and becoming very useful.

Your attention is respectfully invited to the financial statement contained in the Librarian's report, also to the recommendations made by the Territorial Auditor relative to the maintenance of the library, with a recommendation that an appropriation be made sufficient to meet the necessary expenses, which will naturally increase as the volume of business increases.

BOARD OF PHARMACY.

The report of the Oklahoma Board of Pharmacy, as submitted through its secretary, is referred for your consideration.

This report sets forth in detail the work and policy of this very important and useful association.

OKLAHOMA HISTORICAL SOCIETY.

The Oklahoma Historical Society is an institution of great value and should be zealously fostered by our people. Its worth to the rapidly growing commonwealth can scarcely be estimated. It is essential that our "foot-prints" of progress be carefully recorded.

Your attention is called to the report of the President of the Society, and it is earnestly hoped that your best judgment will prompt you to make ample provision for the maintenance and increased usefulness of this very important auxiliary of our Territorial system of education.

BOARD OF HEALTH.

The Superintendent of the Territorial Board of Health has submitted an extended report, which is now before you. That report indicates that in the main health conditions throughout the Territory are good. The vast increase in population in the Territory has correspondingly increased the work of the Board. A provision to meet the increased demands in the work of the Board, would be just.

The local health superintendents in the various counties often are confronted by very perplexing conditions. It often happens that during the spread of a contagious disease, the local health officers act in behalf of the community and take steps necessary to control and stop the spread of the disease. They employ assistants, contract obligations on the county, only to be "turned down by the County Commissioners." In several counties of the Territory the health officers have been powerless to act because the County Commissioners refused to authorize the payment of necessary bills which were contracted in the interest of the public.

The law should be changed so as to invest the health officer with sufficient authority to engage necessary help, with the assurance that all legitimate expenses will be paid.

LIVE STOCK SANITARY COMMISSION.

This commission is of vast importance to the live stock interests of the Territory. In fact it is one of the most important branches of the Territorial government, as so much depends upon the manner in which it exercises the power and performs the duties authorized by law. Upon its vigilance and industry largely depends the welfare of the live stock raisers and live stock dealers of Oklahoma.

The report of the Secretary of the Board is submitted, and you are respectfully invited to examine carefully into the methods which have been adopted to carry on the work. The special deputy plan has not proven a success. It is recommended that the number of regular inspectors be increased so as to entirely eliminate the special deputy feature from the work of the commission.

It is also recommended that liberal provisions be made in the way of necessary funds to enable the Board to carry on the work in an effective manner.

DEAF AND DUMB.

The contract between the Territory and the Superintendent of the Institute for the Deaf and Dumb having expired on the first day of October, 1902, a new contract was entered into which will expire October 1, 1904.

For each person either deaf or dumb, or deaf and dumb, committed to the care of the superintendent of the Institute for the Deaf and Dumb, the Territory is obligated to pay at the rate of two hundred and seventy-five dollars per annum, for education and maintenance in a suitable, proficient manner.

The work of the institute is receiving the commendation of the people generally for the careful, efficient manner in which it is being conducted.

You are respectfully referred to the report of the Superintendent of the Institute for information as to work now being done, and also to report of Territorial Auditor as to financial conditions relative to this institution.

OKLAHOMA AGRICULTURAL EXPERIMENT STATION.

The report of the Director of the Experiment Station has been transmitted for your information upon the work being accomplished by this very useful auxiliary in the promotion of agricultural interests.

If a sufficient fund should be provided for use by the station in the free distribution of vaccine, it would afford a safe-guard against the spread of black-leg among cattle throughout the Territory. Yet, this is a matter which I desire to refer to your careful consideration, believing that your best judgment will be exercised.

BOARD OF AGRICULTURE.

The Sixth Legislative Assembly enacted a law providing for the organization of a Board of Agriculture.

On the 18th day of December, 1902, in accordance with the provisions of the Act, delegates from the various county institutes of the Territory met at the city of Guthrie and organized a Board of Agriculture, electing the officers provided for.

The new Board did not outline any defined line of work for the future. The Act under which this Board was organized does not specifically outline a plan of work for the Board, but probably contemplated supplemental legislation. A secretary has been elected. He should receive a reasonable compensation for services rendered in building up and promoting the interests of the Board. Contingent expenses should be provided for and I have the honor to recommend a reasonable allowance for the above named purposes, believing that your good judgment will dictate equitable action.

BOARD OF DENTAL EXAMINERS

The Secretary of the Board of Dental Examiners has filed a report, to which your attention is invited.

A law should be enacted to protect the public against incompetent persons who are unauthorized, not qualified, and yet attempt to practice dentistry.

INSPECTION OF GRAIN.

Copies of statement of the Territorial Grain Inspector are placed before you for information as to work done by that office during the years 1901-1902.

It is recommended that the law be so amended as to apply to conditions now existing in the Territory, so far as it relates to weighing grain for market.

APPORTIONMENT.

During the past year the Territory has been re-apportioned into new council and representative districts.

In making this apportionment county lines were followed as nearly as possible, and at the same time respect was paid to population. The two features could not be exactly harmonized, but an effort was made to equalize interests between the counties and not work an injustice from the standpoint of population.

It is believed that the rapidly changing conditions in regard to population throughout the Territory will soon bring about an equality in population between the various council and representative districts. Anything like a gerrymander was studiously avoided, and it is believed that the people of the Territory, regardless of politics, are reasonably satisfied with the work of the Re-districting Committee.

WORLD'S FAIR.

The report of the commissioners appointed to look after the interests of Oklahoma at the World's Fair, which is to be held at St. Louis in 1904, is referred for your most careful consideration.

The Sixth Legislative Assembly of Oklahoma appropriated the sum of $20,000, and placed it under the control of the Board, to be used for a building. The appropiration for the exhibit was contemplated later on. After considerable experience in collecting materials, and careful estimates in detail made upon the various features of the exhibit, the commissioners have recommended an additional appropriation of $35,000.

It is believed that every dollar expended in this manner would bring good results in the way of advertising the Territory and acquainting the other portions of the world with the grandeur, magnificence, great resources, and wonderful possibilities of Oklahoma. There seems to be a general sentiment prevailing all over the Territory in favor of making a creditable display of our products, and demonstrating to all that, although young, Oklahoma is entitled to and will rank with the leaders in enterprise and progress.

The commission is now, and in the future should be kept, free from political entanglements and influences that tend to discredit rather than to elevate the work, and its affairs are administered from a business standpoint. The members of the commission are all business men, who are interested in the up-building of the Territory.

Believing it to be for the best interests of Oklahoma, I respectfully recommend that the requests of the committee be granted.

HERD LAW.

Some changes are necessary in the herd law now in force in the Territory. The rights of homesteaders in western Oklahoma have been violated. Their crops have been destroyed by range cattle, and a great wrong has been, and is being, perpetrated upon settlers who are trying to build homes in Day County and other portions of western Oklahoma.

The idea that western Oklahoma is unfit for agricultural purposes and only adapted to grazing, is a mistaken one. The country has been tested and the homesteaders are satisfied with results if they can be protected from the ravages of range cattle. During the past year crops were planted by the homesteaders only to be destroyed by the cattle of non-residents of the Territory. It was with difficulty, at times, that blood-shed was averted.

The welfare of our people is paramount to the interests of outsiders. We should protect the Oklahoma homesteader who is trying to build a home and improve the country, even if we have to discriminate against the non-resident who makes no permanent improvements, and who leaves the country no better than he found it.

It is recommended that a herd law be enacted which will apply to all portions of the Territory alike.

FORT SUPPLY MILITARY RESERVATION.

This reservation, situated in Woodward County, containing 40,356.63 acres, has been sold under the Congressional Act of July 5, 1884, with an exception reserving 1,760.25 acres to be used by the Territory of Oklahoma for an insane asylum should the Territory desire to accept the offer from the government.

By the Act of February 8, 1899, the Secretary of the Interior was authorized "to permit the use of the buildings and so much of the land as may be necessary for such use by the Territory of Oklahoma for the purpose of an insane asylum for said Territory." The lands set apart for the use of the Territory embrace that portion of the reservation upon which the buildings, water-works, and sewerage systems are located. The Secretary of the Interior, on the 25th day of March, 1902, directed the Commissioner of the General Land Office to ascertain what the Territory of Oklahoma proposes to do in regard to this affair. On the 18th day of April, 1902, the Commissioner requested me to inform him as to steps taken by the Territory to utilize the land thus reserved for its use. Nothing has been done by the Territory, and the Commissioner was so informed. The land is still held awaiting the pleasure of Oklahoma.

It is suggested that a committee be selected, to be composed of members of both branches of your Honorable Body, to go to Fort Supply to examine into conditions and report as to the advisability of accepting the buildings and fitting them up for an asylum. Upon a report of such committee the assembly would be enabled to act intelligently and for the best interests of the Territory.

WAYWARD JUVENILES.

The Territory has never been able to make a contract with any institution for the confinement and care of youthful violators of the law, although requests come frequently for the Territory to take charge of incorrigible young persons who cannot be controlled by parents.

Again, under the laws of the Territory, courts can sentence youthful offenders to the penitentiary, if the crime charged is sufficient to warrant such punishment. There are several very young boys now in the Kansas penitentiary, who have been sent there from Oklahoma. Some of the boys were sentenced when only fourteen, fifteen and sixteen years old. The courts are not in the fault. It is the law. However, such authority granted by law is not in accord with the higher ideals of a Christian age, and is contrary to the spirit of our American civilization.

To incarcerate young boys in the penitentiary is beyond question a criminal making process sanctioned by law. A boy of fifteen is sentenced to a term of two or three years in the penitentiary. His time expires when he is still but little more than a child. His offense may have been by no means a grievous one, but the stamp of infamy is upon his life. He is ruined and he knows it. He has been in the penitentiary! He who might have been saved by discipline not so harsh, becomes a criminal by force of circumstances.

This is a serious problem submitted for your most conscientious consideration. A law to remedy this evil would be a good thing for the Territory.

PARDONS.

With the exception of citizenship pardons, which are authorized by law, no direct pardons have been granted during the past year.

It is, in my judgment, bad policy for an executive to undo what the courts have done, unless convinced that the convicted person is innocent or that the punishment is greater than the offense merits

Three persons, all of them boys, have been the recipients of executive clemency during the past year. Sefus Brunner, a boy of fifteen

years old, sentenced to be hung in Pottawatomie county, was granted a commutation of sentence to life imprisonment. Clevy Hopper, a young boy, sentenced to one year in the penitentiary from Kiowa County, was granted a commutation of sentence to six months imprisonment in the county jail. Aaron Wharton, a boy, was sentenced to one year in the penitentiary from Logan County. He had been confined in the Logan County jail several months after sentence, as a contagious disease in the jail prevented his immediate removal to Lansing. He was given one month off of sentence in addition to time allowed for good behavior.

ELECTION LAWS.

The election laws should be changed. Under the existing law the will of the people cannot always be expressed. The phraseology of the law should be made so plain and free from ambiguity that the voter can cast his ballot intelligently, and that the courts can interpret the law in case of contest.

The right, under the existing law, to place the name of one candidate twice upon the ballot, is confusing and is disapproved by the people generally, irrespective of political affiliations.

An act to simplify our election laws would certainly meet the approval of all the people.

UNITED STATES GEOLOGICAL SURVEY.

The employees of the United States Geological Survey frequently are embarrassed in the prosecution of their work by individuals who refuse to permit them to enter upon their property. This course on the part of the citizens often proves detrimental to the interests of the Territory. New York, Pennsylvania, Ohio, Maine, and a number of other states have passed laws covering this subject.

I very respectfully recommend that your Honorable Body enact a law at this session authorizing any person employed by the Federal Geological Survey to enter upon any lands within the limits of the Territory of Oklahoma, with the provision that the authority thus granted shall not interfere with the private rights of the owners of the land.

REWARDS.

The suppression of crime is of the utmost importance to every commonwealth. The best way yet developed to lessen offenses is to bring the offenders to justice. Frequently crimes are committed either by unknown persons, or by persons who escape from the Territory. The lo-

cal authorities are very often handicapped in their efforts to punish offences against the law. Few men have a desire to encouter desperate criminals, even with a reward promised, and when no reward is possible it is sometimes a difficult matter to apprehend criminals, as men hesitate to spend time and take great risks for nothing.

The reward policy has worked well in Oklahoma. Many desperate characters in the past history of the Territory have been forced to answer to the law for misdeeds because rewards were offered for their arrest, who doubtless would have gone unpunished had no reward been offered.

The appropriation for rewards by former legislatures have generally been inadequate to meet the demands, and it is respectfully recommended that a liberal appropriation be made for this very important feature of our Territorial government in maintaining law and order and in bringing offenders to justice.

PUBLIC BUILDINGS.

Several educational institutions are asking for additional buildings. The Territory has been very liberal during the past. The people have been taxed heavily to build these institutions, and it seems that we should defer additional buildings for a "breathing period" at least.

The Seventh Legislative Assembly is prohibited by Congressional Act from making provision for any public building.

QUARANTINE LAWS.

There can be but one solution of the quarantine problem, and that is an absolute prohibition against southern cattle coming into Oklahoma for a period of time sufficient to free the Territory completely from infection. This cannot be done with the "open season" regulation in force at any time during the year.

The tick infested regions upon our borders will be a menace to the live stock interests of the Territory just as long as southern cattle are permitted to cross the line.

The only remedy is a quarantine wall between Oklahoma and the tick producing regions, that wall to remain until all danger is over, and some safe solution of the problem can be reached.

A change in the low that would afford the farmer and stockmen of Oklahoma more protection is very desirable at this time, and its benefits would be of utmost importance to all the Territory.

THE FLAG.

It is the duty of all liberty-loving people to inspire patriotism, inculcate the true lesson of love for home and country, and impress upon the mind and heart of the rising generation a sentiment of devotion to the principles represented by the starry banner of our great Republic.

A flag should float from every school house in fair Oklahoma. The boys and girls of our young commonwealth should receive the lessons that are to prepare them for life and good citizenship under the folds of the flag.

I respectfully recommend that a law be enacted making it the duty of every school district in the Territory of Oklahoma to keep a flag flying over the school house while school is in progress.

CONCLUSION.

Never before in the history of Oklahoma has a legislature organized with greater responsibilities and more glowing opportunities than fall to the lot of the members of this assembly.

At a time which marks the glorious achievements and unprecedented developments of our vigorous young commonwealth, let us hope that the Seventh Legislative Assembly is the LAST Territorial legislature that will ever have a place in the history of Oklahoma.

With full confidence in the ability and integrity of the Honorable Body now convened to legislate in the interest of the people, with commendable pride in the unsurpassed accomplishments of the past and unbounded faith in the grandeur of the future, as a people representing the greatest commonwealth in population, education, wealth and all things required to make an ideal state, ever denied the right of self government within the limits of our Republic, let us trust that to this legislature, representing as it does the will of an intelligent, prosperous, sovereign people, has been given an opportunity to make history that will endure—to close the volume of the Territorial annals in a manner creditable to the entire constituency and to prepare the way to open up the first chapter of state history.

Let everything be done, as I believe that it will be done, in the interest of all the people.

Very respectfully,

T. B. Ferguson.

Guthrie, Oklahoma, January 13, 1903. Governor.

APPENDIX

Giving a List of Citizenship Pardons

Granted in Compliance with the Law During the Years 1901-1902.

PARDONS GRANTED, 1901.

Date of Pardon	Name	Offense	Where Convicted	Where Confined	Sentence Begins	Sentence Expires	REMARKS
1 4 1901	Jeff Peters	Pointing Revolver	Pawnee	County Jail	9	... ...	3 mos and $50 fine (fine remitted)
1 9 "	J W Shafer	Forgery	Oklahoma	Lansing	4 ... 00	4 ... 01	
2 28 "	Pomeroy Cooper	Grand Larcenry	Logan	"	9 ... 97	9 ... 03	
3 13 "	Alonzo Berlin	Burglary	Payne	"	10 ... 98	10 ... 02	
3 14 "	Squire Buffinger	Assault Deadly Weapon	Logan	County Jail	2 ... 01	8 ... 01	
3 18 "	Mrs Frances DeMaglemon	Assault and Battery	Oklahoma	"	3 ... 99	... ...	10 days
3 18 "	Stonewall Shocklett	Murder	Blaine	Lansing	3 ... 98	... ...	Commuted from life to 7 yrs
4 11 "	Abner G Brown	Forgery	Logan	"	12 ... 99	12 ... 01	
4 12 "	Orville Long	Grand Larceny	Grant	"	... ...	... ...	2 years
4 12 "	Adolphus Fauntroy	Arson	Logan	"	3 ... 00	3 ... 02	
4 19 "	Wm Brinlee	Grand Larceny	Pottawatomie	"	10 ... 00	10 ... 01	Commuted to 6 mos
4 23 "	C G Houghland	Grand Larceny	Logan	"	9	... ...	
4 23 "	Wm Sharp	Violation of Game Laws	Woodward	"	... ...	... ...	$25 fine. To pay costs
4 30 "	Fred Jones	Manslaughter, first degree	Canadian	"	12 ... 99	12 ... 05	Commuted to 18 months
4 30 "	A C Johnson	Vlolation Game Law	Custer	"	... ...	... ...	Fined $25 and costs. To pay costs
5 3 "	Chas W Bailey	Grand Larceny	Dewey	"	12 ... 97	12 ... 03	
5 7 "	Robt W Debinson	Assault	Logan	"	3	... ...	6 months
5 9 "	Henry Steil	Mauslaughter	Kingfisher	"	11 ... 94	11 ... 14	Commuted to 10 years
5 11 "	C B Hunt	Shooting with Intent to Kill	Logan	"	9 ... 96	8 26 01	
7 12 "	Henry C Ellis	Manslaughter	Pottawatomie	"	3	... ...	
7 24 "	John Armstrong	Perjury	Canadian	"	... ...	... ...	
8 12 "	Fred Bowman	Larceny	Greer	"	11 ... 98	11 ... 02	
9 6 "	John Brady	Co-joint Robbery	Garfield	"	... ...	... ...	Life. Com. to 10 yrs frm Mch 16,1900
10 2 "	Henry H Hyde	Assault to Kill	Woods	"	5 ... 97	5 29 04	
10 2 "	Wm Buchanan	Burglary	Kay	"	9 4 99	9 4 02	
10 2 "	Arthur Dix	Rec. Stolen Property	Payne	"	5 ... 99	5 ... 02	
10 2 "	Dave Brady	Pointing Deadly Weapon	Roger Mills	County Jail	9 2 01	12 2 01	And $50 fine
10 2 "	E C Cheek	Assault to Kill	Pottawatomie	"	... ...	... ...	Indicted
10 26 "	W P Perkins	Manslaughter	Pottawatomie	Lansing	3 ... 99	... ...	
12 23 "	J M Keith	Larceny	Logan	"	3 ... 98	... ...	

CITIZENSHIP PARDONS GRANTED 1901.

Date of Pardon	Name	Offense	Where Convicted	Where Confined	Sentence Begins	Sentence Expires	REMARKS
1 16 1901	Frank Summers	Larceny	Cleveland	Lansing	... ...	... ...	
1 18 "	Fred Tansler	Grand Larceny	Woodward	"	10 ... 00	10 ... 01	
1 30 "	Henry W Smith	Burglary	Woodward	"	... ...	... ...	
2 7 "	Lee Cass	Grand Larceny	Payne	"	6 ... 99	6 ... 03	
2 11 "	Wm McKee	Grand Larceny	Logan	"	3 ... 00	2 7 01	
2 11 "	Willis Smith	False Pretense	Payne	"	5 ... 99	2 9 01	
2 11 "	Ernest Owsley	False Pretense	Garfield	"	3 ... 00	2 11 01	
2 11 "	Geo Gibson	Grand Larceny	Canadian	"	3 ... 00	2 15 01	
2 11 "	C W Little	Disposing Mortgaged Prop'ty	Lincoln	"	2 ... 00	2 21 01	
2 11 "	Joseph Andrews	Grand Larceny	Lincoln	"	2 ... 00	2 21 01	
2 11 "	Geo Penn	Grand Larceny	Lincoln	"	3 ... 00	2 22 01	
2 11 "	Walter Copsey	Grand Larceny	Lincoln	"	3 ... 00	2 22 01	
2 11 "	Thos Bowen	Grand Larceny	Lincoln	"	3 ... 00	2 21 01	
2 28 "	Pomeroy Cooper	Grand Larceny	Logan	"	9 ... 97	9 ... 03	
3 13 "	Alonzo Butin	Burglary	Payne	"	10 ... 98	10 ... 02	
3 13 "	Oscar Walker	Larceny	Cleveland	"	10 ... 98	4 27 01	
3 13 "	Herbert Connor	Grand Larceny	Woodward	"	5 ... 00	4 26 01	
3 13 "	Jas Chandler	Grand Larceny	Garfield	"	5 ... 00	4 1 01	
3 13 "	D A Chapman	Grand Larceny	Kay	"	5 ... 00	4 8 01	
3 13 "	Asa Coleman	Forgery	Oklahoma	"	5 ... 96	4 9 01	
3 13 "	J C Clevinger	Fraud	Payne	"	5 ... 00	4 18 01	
3 13 "	Geo Mitchell	Assault	Payne	"	5 ... 00	4 18 01	
3 13 "	Chas Miller	Burglary	Lincoln	"	7 ... 99	4 25 01	
3 13 "	Ed Peterson	Assault	Pawnee	"	6 ... 01	4 28 01	
4 12 "	O J Galather	Burglary	Roger Mills	"	10 ... 97	... ...	16 months
4 24 "	John King	Embezzlement	Cleveland	"	6 6 00	5 4 01	
4 24 "	Owerson Bare	Grand Larceny	Payne	"	11 2 98	4 23 01	
4 24 "	Wm McNeal	Burglary	Logan	"	3 15 97	5 14 01	
4 24 "	Phillip W Searls	Larceny	Kay	"	9 ... 99	9 ... 02	
4 27 "	Lawrence Davenvort	Grand Larceny	Garfield	"	5 ... 00	3 ... 01	
4 27 "	Robert Clayborne	Grand Larceny	Oklahoma	"	4 6 00	3 13 01	
4 27 "	Joseph Walker	Grand Larceny	Oklahoma	"	4 6 00	3 13 01	
5 21 "	Geo Adams	Horse Stealing	Pawnee	"	11 ... 98	6 19 01	
6 8 "	Nora Parks	Grand Larceny	Kingfisher	"	10 ... 98	6 19 01	
6 8 "	James Russell	Grand Larceny	Pawnee	"	11 ... 98	6 19 01	
6 13 "	Harvey Rowden	Grand Larceny	Dewey	"	9 ... 99	7 1 01	
6 13 "	Chas Andrews	Burglary	Canadian	"	12 ... 98	7 8 01	
6 13 "	Albert Vandorf	Grand Larceny	Noble	"	3 ... 00	7 10 01	
6 13 "	John Reader	Assault	Grant	"	12 ... 98	7 14 01	
6 13 "	Lee Conrad	Larceny	Kay	"	3 ... 98	7 18 01	
6 13 "	Ellis Kellar	Burglary	Canadian	"	12 ... 98	7 18 01	
6 13 "	Chas Bowman	Grand Larceny	Payne	"	10 ... 99	7 18 01	
6 13 "	Ernest Hawkins	False Pretense	Garfield	"	3 ... 00	7 21 01	
7 12 "	Sherman Johnson	Larceny	Kingfisher	"	11 ... 99	8 26 01	

CITIZENSHIP PARDONS GRANTED, 1901—Continued.

Date of Pardon	Name	Offense	Where Convicted	Where Confined	Sentence Begins	Sentence Expires	REMARKS
7 12 1901	Wm Dillard	Grand Larceny	Payne	Lansing	1 ... 00	8 30 01	
7 12 "	Edward Vandorf	Grand Larceny	Payne	"	9 ... 00	8 24 01	
7 12 "	Sidney Frooman	Larceny	Kay	"	3 ... 98	8 8 01	
7 12 "	J M Henson	Grand Larceny	Oklahoma	"	4 ... 00	8 5 01	
7 18 "	Aaron Zodik	Grand Larceny	Noble	"	12 ... 9	12 ... 01	
7 9 "	R & J W Scoggins	Burglary	Logan	"	12 ... 8	12 ... 01	
8 9 "	Joseph Beck	Larceny	Payne	"	12 ... 95	8 25 01	
8 12 "	Ben Howell	Larceny	Pawnee	"	12 ... 99	9 25 01	
8 12 "	Thos B Richardson	Grand Larceny	Greer	"	12 ... 99	9 28 01	
8 12 "	John Davis	Grand Larceny	Logan	"	2 ... 99	9 10 01	
8 12 "	L W Miller	False Pretense	Cleveland	"	10 ... 00	9 12 01	
8 12 "	Ben Lyons	Grand Larceny	Cleveland	"	10 ... 00	9 22 01	
8 12 "	Edward Fabananka	Larceny	Kay	"	10 ... 00	9 24 01	
8 12 "	Frank Wicker	Grand Larceny	Cleveland	"	10 ... 00	9 27 01	
8 12 "	Harry P McCool	Grand Larceny	Canadian	"	12 ... 97	9 7 01	
8 12 "	Thomas Davis	Grand Larceny	Logan	"	2 ... 99	9 10 01	
8 26 "	Wm Nelson Foster	Forgery	Noble	"	12 ... 99	9 13 01	
9 6 "	Chas Williams	Larceny	Kay	"	10 ... 00	9 24 01	
9 6 "	Edgar Wainscott	Larceny	Kay	"	10 ... 00	9 24 01	
9 17 "	Jim Scott	Grand Larceny	Pottawatomie	"	12 ... 00	10 28 01	
9 17 "	Cecil Moreland	Breaking Jail	Pottawatomie	"	12 ... 00	12 28 01	
9 17 "	Irah Keneday	Grand Larceny	Pottawatomie	"	12 ... 00	12 28 01	
9 17 "	Manuel Casosas	Grand Larceny	Canadian	"	5 ... 98	10 4 01	
9 17 "	Jesse Hamlin	Grand Larceny	Woodward	"	11 ... 00	10 4 01	
9 17 "	Thornton Caldwell	Rape	Kay	"	9 ... 97	10 27 01	
10 21 "	Samuel Roper	Fraud	Logan	"	12 ... 00	... ...	
10 21 "	Walter Peters	Larceny	Logan	"	12 ... 00	... ...	
10 21 "	Geo A Dimon	Larceny	Logan	"	12 ... 00	... ...	
10 21 "	Chas Loee	Fraud	Pawnee	"	12 ... 00	... ...	
10 21 "	Geo N Stockton	Fraud	Pawnee	"	12 ... 00	... ...	
10 21 "	Wm A Gaines	Larceny	Greer	"	5 ... 01	... ...	
10 21 "	Ellsworth Lisle	Burglary	Woods	"	5 ... 01	... ...	
10 21 "	Fred Fletcher	Burglary	Oklahoma	"	2 ... 00	... ...	
10 21 "	Fred Lundy	Forgery	Cleveland	"	10 ... 99	... ...	
10 21 "	Creek Muscoe	Larceny	Cleveland	"	10 ... 99	... ...	
12 24 "	Thos Jacobb	Burglary	Lincoln	"	3 ... 00	1 7 02	
12 24 "	Albert Russell	Felonious Assault	Logan	"	4 ... 00	1 28 02	
12 24 "	James King	Burglary	Payne	"	5 ... 00	1 31 02	
12 24 "	Chas Brown	Burglary	Payne	"	5 ... 00	1 31 02	
12 24 "	Geo White	Larceny	Kingfisher	"	3 ... 01	1 26 02	
12 24 "	Henry Sparks	Burglary	Pottwaatomie	"	6 ... 99	1 11 02	

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